
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

CARL MACK COURTNEY JR.,

Plaintiff,

v.

RYAN ARBON et al.,

Defendants.

**MEMORANDUM DECISION
& DISMISSAL ORDER**

Case No. 1:20-CV-118 TC

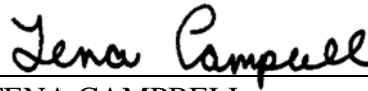
District Judge Tena Campbell

On November 18, 2020, the Court ordered Plaintiff to within thirty days show cause why his case should not be dismissed for failure to submit an initial partial filing fee (IPFF). (ECF No. 12.) Plaintiff responded with a letter stating that, instead of paying his IPFF now, he will file again "at a later date as [he is] still interested in filing a more complete amended version of this suit." (*Id.* at 13.)¹

Accordingly, IT IS ORDERED that--for failure to pay his IPFF--Plaintiff's action is DISMISSED without prejudice. *See* DUCivR 41-2. This action is CLOSED.

DATED this 1st day of February, 2021.

BY THE COURT:



TENA CAMPBELL
United States District Judge

¹ As he contemplates filing these claims in a new suit in the future, Plaintiff should keep in mind that "Utah's four-year residual statute of limitations . . . governs suits brought under section 1983." *Fratus v. Deland*, 49 F.3d 673, 675 (10th Cir. 1995). Plaintiff's claims accrued when "'facts that would support a cause of action [we]re or should [have] be[en] apparent.'" *Id.* at 675 (citation omitted).